

Public Notice



**US Army Corps
of Engineers**
Louisville District ®

Public Notice No.
LRL-2016-1201-jea

Open Date:
10 Feb 2017

Close Date:
13 Mar 2017

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Ms. Jane Archer, CELRL-RDS, Rm 752
P.O. Box 59
Louisville, Kentucky 40201-0059

Phone: (502) 315-6682

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act:

APPLICANT: SRI Holdings, LLC
P.O. Box 827
2404 Belknap Beach Road
Prospect, Kentucky 40059

AGENT: Redwing Ecological Services, Inc.
1139 South Fourth Street
Louisville, Kentucky 40203

LOCATION: Unnamed tributaries of Salt River and emergent wetlands adjacent to these tributaries within a 36-acre parcel, located north of KY 480 and approximately one mile east of the Cedar Grove/KY 480 interchange with Interstate 65 (I-65) in Bullitt County, Kentucky.

Latitude: 37.986971° (N)
Longitude: 85.685068° (W)
7.5 Minute Quad: Brooks and
Shepherdsville, Kentucky

PURPOSE: To construct an industrial development site.

PROJECT BACKGROUND: On June 1, 2009, DA Permit No. LRL-2008-00200 was issued for the discharge of fill material into 1,570 linear feet (0.37 acre) of intermittent streams, 1,945 linear feet (0.28 acre) of ephemeral streams, and 1.24 acres of wetlands (emergent and forested) to facilitate the development of a warehouse at this location. One extension was granted to the original permit which expired on June 28, 2013. No wetlands or streams were filled or compensated for under DA permit LRL-2008-200.

DESCRIPTION OF WORK: The current proposal to construct a 632,000 square foot industrial warehouse building with parking lots, and associated infrastructure along with a 6-acre floodplain compensation basin (see attached Figure 2). The proposed project would involve permanently impacting a total of 0.921 acre of "waters of the United States (U.S.)", including 1,590 linear feet (0.205 acre) of one intermittent stream, 2,185 linear feet (0.126 acre) of twelve (12)

ephemeral stream and a total of 0.59 acre of wetlands consisting of two (2) emergent wetlands, one (1) scrub-shrub wetland, and four (4) forested wetlands as depicted in Figure 2. These waters would be filled with approximately 6,000 cubic yards of clean earthen fill material. In addition, 40 linear feet (0.004 acre) of intermittent stream would be temporarily impacted for the installation of a haul road during construction between the proposed development and proposed 6-acre floodplain compensation basin adjacent to the Salt River northwest of the project site.

AVOIDANCE AND MINIMIZATION MEASURES: Various off-site alternatives were evaluated but had development issues such as site accessibility issues, site development constraints, greater impacts to streams and wetlands, a greater impact to potential habitat for Indiana and northern long-eared bats, and the property not zoned for industrial development. Two on-site design options were evaluated to determine how best to accommodate the needed development while preserving waters/wetlands to as great an extent as possible. The applicant stated that on-site Alternative 1 would impact Wetland 6 entirely increasing the impacts to wetlands by 0.35 acres and impacts to Intermittent Stream 1 will be increased by 290 linear feet making the total intermittent stream impact 1,880 linear feet. The preferred alternative would avoid 710 linear feet of intermittent stream, 170 linear feet of ephemeral stream, and 0.57 acre wetland.

MITIGATION MEASURES: To compensate for the unavoidable impacts to "waters of the U.S.", the applicant proposes to purchase an appropriate amount of stream and wetland mitigation credits from an in-lieu fee program or an approved mitigation bank, and construct an on-site stormwater management system. It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied. A DA permit, if otherwise warranted, will not be issued until a State of Kentucky Water Quality Certification or waiver is on file at this office. In order to comply with Section 401 of the Clean Water Act, the applicant must apply for State certification from the Kentucky Energy and Environment Cabinet Division of Water (KDOW).

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

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Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the Register that would be directly affected by the proposed work. The site has been surveyed for cultural resources and coordination with the Kentucky State Historic Preservation Office is on-going. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistoric, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency, under authority of Section 404(b) of the CWA.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

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Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Ms. Jane Archer, CELRL-RDS at the address noted above and should refer to the Public Notice Number LRL-2016-1201-jea.

If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2016-1201-jea.

Example:

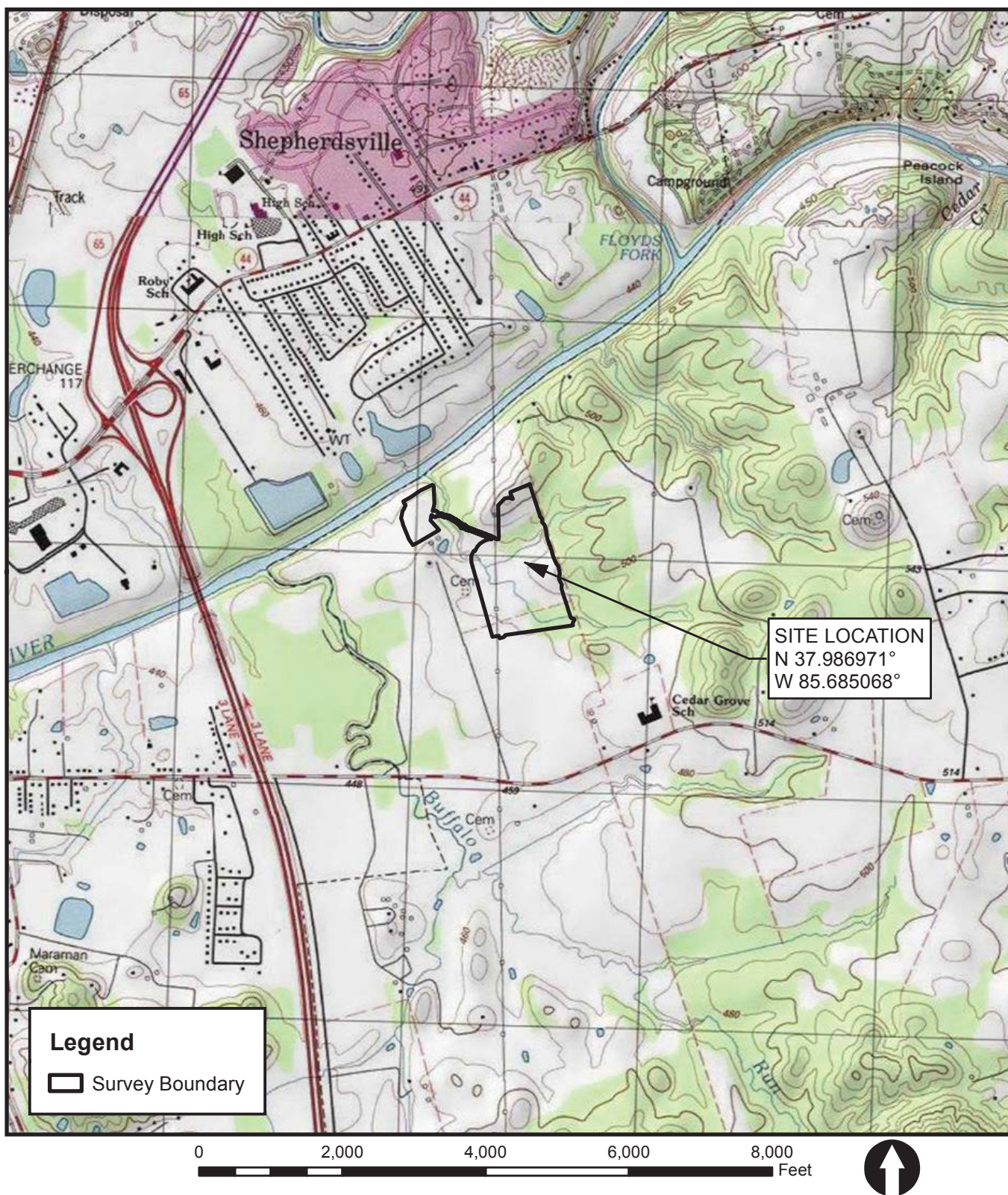
Subject: LRL-2016-1201-jea

b) Provide your physical mailing address and telephone number.

c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

Source: USA Topo Maps, (2013) National Geographic Society, USGS 7.5-minute Topographic Map - Brooks and Shepherdsville, Kentucky Quadrangle.



SALT RIVER LOT 8
DEVELOPMENT
BULLITT COUNTY, KENTUCKY
USACE ID No. LRL-2016-1201-jea



SITE LOCATION MAP

REVISED DATE: 02-01-17

DRAWN BY: BJD/EDB

FIGURE 1

